

23. (New) The method of Claim 16, wherein the received traffic information is independent of a direction of travel or location of the user.

24. (New) The method of Claim 16 further comprising the step of providing the outputted traffic information to the user beginning with traffic information associated with a shortest distance between the position of the traffic information and the position of the user.

25. (New) The method of Claim 16, wherein the user can select an area not related to a route that has been set.

REMARKS

1. Claims 1-14 are pending. Claims 15-25 are new. A proposed drawing amendment is attached hereto.

2. The drawings have been amended to address the issues objected to by the Examiner.

3. Claims 1-14 are not unpatentable over Sumizawa in view of Sumner under 35 U.S.C. §103(a).

Applicant's invention according to Claims 1-14 is to provide a list of traffic messages on a display to a user. This list contains traffic messages (filtered according to a predefined filter) and sorted according to the distance to the actual car position. The positioning of the vehicle and the traffic jam is

done exactly, i.e. the positions are given in longitudinal and latitudinal data as supplied, e.g. by GPS. There is no grouping of messages to cells/areas and no associating messages to links of a recommended route either. No navigation/route guidance system is presupposed or necessary for the present invention.

These features are not disclosed or suggested by Sumizawa in view of Sumner.

Sumizawa is directed to a voice reporting system that reports on a traffic control point and traffic jam location by voice only, if the hindrance to traveling is on the route that has been set. (Col. 1, lines 39-40). Sumizawa discloses that when the location of a traffic jam is taken into account, a voice report is issued only on the traffic jam location that is nearest the current vehicle position. (Col. 13, lines 25-28). No display list and/or sorting is mentioned. In Sumizawa, the route to be traveled by the vehicle, i.e. the recommended route, must be known in advance. For example, referring to FIG. 5, a route data table is shown that illustrates how to associate traffic information to the different links that form the recommended route.

As can be seen from FIG. 5 there are traffic jams related with links 10, 105, 3 and 4. The location of the traffic jam on one of these links, i.e. on the corresponding route section, is given by the distance between the tail end of the traffic jam and the start point of the respective link, and the distance between the front end of traffic jam and the start point of the respective link. (FIG. 5, and Cols. 3 and 4). In addition, a traffic jam classification is given in the fifth column of the recommended route data table according to FIG. 5, which

classifies the traffic jam in accordance with the degree of hindrance.

Significantly, FIG. 5 of Sumizawa fails to show the distances between the different traffic locations and the vehicle location as claimed by Applicant. Rather, Sumizawa only shows the distances between the different traffic locations and the start points of respective links the traffic jam is associated with.

Furthermore, FIG. 7 of Sumizawa shows an example of the traffic jam information provision table corresponding to the individual link numbers combined with a mesh number, the distance from link start points to the tail end of the traffic jam location. The distance from a link start point to the front end of the traffic jam location and the traffic jam data classification are stored. In addition, the number of sets of data is also stored. (Col. 6, lines 45-52).

Furthermore, FIG. 9 shows an example of a traffic jam data table in which the distance from the start point of the recommended route to the tail end of the traffic jam location, the length of the traffic jam and the traffic jam data classification are stored (Col. 8, lines 1-7).

Thus, traffic locations (messages) are possibly sorted based on their distances to the starting point of the recommended route as shown in FIG. 9.

Also, according to Col. 1, lines 52-56, the distance to the traffic jam location is reported regardless of the distance from the current position to the traffic jam location when the reception device has received information on a traffic jam location for the first time.

Thus, any received traffic jam information is output to the user as voice report upon receipt if the traffic jam information is related with the recommended route regardless of the distance from the vehicle position. Thereafter, only one distance or traffic message is supplied at one time to the driver.

Thus, the technical teaching of Sumizawa differs from that of the present invention at least in two points:

- a) first there is no suggestion to store traffic jam information sorted in accordance with the current vehicle position, and
- b) second no list of traffic messages sorted according to the distances between the current vehicle position and the position of the traffic hindrance location is output.

The Examiner notes a clear distinction between Applicant's invention and Sumizawa on page 4, lines 1-2 of the Office Action, stating that only "traffic jam locations or traffic control points that are within a specific distance from the current position may be reported". This is not what is claimed by Applicant. Thus, Sumizawa does not disclose or suggest Applicant's invention according to Claims 1-14.

Sumner does not overcome the deficiencies of Sumizawa. Sumner only presents traffic information to a driver that is associated with a nearby "cell" along the vehicle route. Sumner presupposes that the navigation is known.

Sumner teaches in Col. 6, lines 65-68 that "in any event, congestion information is always reported by vehicle processor

103 with regard to the proximity of vehicle 150 to the congestion or with the nearest congestion messages reported first". However, according to the description in Sumner the traffic messages are grouped according to "cells" because exact positioning is not part of the in-vehicle traffic congestion information system, as taught by Sumner.

Also, according to Col. 13, lines 51-58, messages may be presented in order of "cell distance" from the vehicle such that closer messages are received first. This paragraph deals with the transmission of the cells from a service provider to the vehicle, but not with the display of the messages to the user.

From FIG. 4 of Sumner, it can be easily noticed that a driver who is driving via cell 1432 to cell 1433 might miss relevant traffic information, as the traffic information from cell 1432 is presented first. Even if cell 1433 would be the next cell to be displayed, traffic information, which is relevant for the left edge of cell 1432, is displayed higher on the list than traffic information, which is relevant for the left edge of cell 1433. This is not the same as Applicant's invention.

By the system of Sumner a driver would therefore quite often have traffic information on a high level on the display which is irrelevant for his travel direction.

Thus, it is submitted that Sumner fails to teach to display a list of traffic information messages sorted according to individual positions associated with each message as claimed by Applicant. Rather, Sumner only deals with presenting traffic information messages according to specific areas along the travel path with which they are associated. Thus, Sumner does

not disclose or suggest Applicant's invention according to Claims 1-14.

A further key distinction is stated by the Examiner on page 5, lines 3-4 of the Office Action. As noted by the Examiner, Sumizawa in view of Sumner will only provide a system that will provide traffic information "relevant" to a vehicle travel path.

This is not Applicant's invention as recited in Claims 1-14 because Applicant's invention is not limited to the vehicle travel path.

Since neither Sumizawa nor Sumner disclose or suggest each element of Applicant's invention as recited in Claims 1-14, it is submitted that their combination cannot do so.

4. Goss in view of Sumner does not disclose or suggest Applicant's invention under 35 U.S.C. §103(a).

Although Goss deals with a vehicle navigation system, Goss does not disclose or suggest how received information is presented to the user as claimed by Applicant.

In Goss, in order to avoid overloading of the navigation system, the message transmission channel and the driver, with many irrelevant traffic messages, it is suggested that the vehicle position and the calculated route is used for pre-filtering the traffic messages. However, unlike Applicant's invention, Goss does not disclose or suggest sorting this information, by for example, the distance to the vehicle.

Sumner does not overcome these deficiencies of Goss because Sumner relies on "cell messages" (Col. 6, lines 29-48) where a "cell" is defined by the direction of vehicle travel and the

major aterials in an area the vehicle is traveling. The vehicle processor subsystem 103 can process "links" in the cell in which the vehicle is as well as an adjacent cell, unlike Applicant's invention. Sumner relies on this link and cell relationship to output information.

As noted by the Examiner, "messages may be presented in order of cell distance from the vehicle". This is not what is claimed by Applicant, where it is the relation of the position of the traffic message to the position of the motor vehicle that governs.

The Examiner recited the key deficiency and distinction between the combination of Goss and Sumner and Applicant's invention on page 6 of the Office Action, lines 14-16. The Examiner states that the motivation to make the modification and combination is to provide a system that will "provide traffic information relevant to a vehicle travel path." Applicant's invention is not so limited, and neither Goss nor Sumner, or their combination discloses or suggests each element of Applicant's invention as recited in the claims.


Thus, it is submitted that Goss in view of Sumner does not disclose or suggest Applicant's invention according to 35 U.S.C. §103(a).

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should

any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$182.00 is enclosed for a one month extension of time and on account of the additional claim fees. The Commissioner is hereby authorized to charge any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


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8/5/02
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